IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 1703 OF 2003
WITH
CIVIL APPLICATION NO. 569 OF 2003
WITH
CIVIL APPLICATION NO. 724 OF 2005

Shri. Sadhu Bhikoba Pandharkar ... Petitioner

Versus

State Bank of India and Ors. ... Respondents

Mr. A.V. Anturkar for Petitioner.

Mr. Atul G. Dandle for Respondents.

CORAM : F.I. REBELLO &
DR.D.Y.CHANDRACHUD,JJ.
DATED : FEBRUARY 13, 2006

P.C.

. It is the case of the Respondent No.1 that the predecessor in title of the Petitioners mortgaged the subject matter of the Petition in favour of Respondents by deed of mortgage which was duly registred in the office of Sub Registrar Haveli No. 2 on 13.1.1989 at Sr. No. 703. Respondent No.1 had filed a suit being Special Civi Suit No. 232 of 1992 where all these details were set out. An alternative prayer also sought in that suit was that in default the mortgaged preporty may be sold. The suit was decreed to the extent of recovery of

money.

. On behalf of Respondent No.1 the learned counsel on instructions states that the property has been mortgaged and registered in favour of Respondnet No. 1. Once that be the case, we do not find this to be a fit case where this court should exercise its extra ordinary jurisdiction. Hence, Petition alongwith Civil Applications are dispsoed of.

(F.I. REBELLO,J.)

(DR. D.Y. CHANDRACHUD,J.)